

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**CIVIL MINUTES - GENERAL**

Case No.	2:13-cv-08209-GAF (JEMx)	Date	November 15, 2013
Title	John A. Contreras v. KAMAL TRANS, LLC et al		

Present: The Honorable	GARY ALLEN FEESS	
Stephen Montes Kerr	None	N/A
Deputy Clerk	Court Reporter / Recorder	Tape No.
Attorneys Present for Plaintiff:	Attorneys Present for Defendant:	
None	None	

Proceedings: (In Chambers)**ORDER TO SHOW CAUSE**

Plaintiff John A. Contreras ("Plaintiff") filed this action in Los Angeles County Superior Court on July 5, 2013, against Defendants KAMAL TRANS, LLC, Mohalid Abdukadir, and Does 1-10 (collectively, "Defendants"). (Docket No. 1, [Notice of Removal ("Not.")], Ex. 1 [Complaint].) Defendant was served on September 26, 2013, (Not. ¶ 2), but did not remove the action to federal court until November 5, 2013. (Not.)

Pursuant to 28 U.S.C. § 1446(b), the notice of removal of a civil action "shall be filed within thirty days after the receipt by the defendant, through service or otherwise, of a copy of the initial pleading setting forth the claim for relief upon which such action or proceeding is based" 28 U.S.C. § 1446(b) (emphasis added). "If a notice of removal is filed after this thirty-day window, it is untimely and remand to state court is therefore appropriate." Babasa v. LensCrafters, Inc., 498 F.3d 972, 974 (9th Cir. 2007).

Under section 1446(b)'s thirty-day rule, it appears that Defendant's removal of this action was ten days late. Accordingly, Defendant is hereby **ORDERED TO SHOW CAUSE** by no later than **November 30, 2013**, why its removal petition was timely. Plaintiff is reminded that, should it wish to make a motion to remand this case based on untimely removal, such a motion must be filed within thirty days of the removal date. 28 U.S.C. § 1447(c).

IT IS SO ORDERED.